Remarks

In response to the Office Action mailed August 27, 2003, the Applicants respectfully request reconsideration. To further prosecution of the present application, claims 1-26 have been canceled herein. New claims 27-56 have been added herein to the present application with claims 27 and 39 being in independent format

Rejection of Claims 12, 15 and 26 Under 35 U.S.C. § 112

The Examiner's Action has rejected claims 12, 25 and 26 as having insufficient antecedent basis. Claims 12, 25 and 26 have been canceled herein by the foregoing amendment; therefore, the rejection of these claims should be withdrawn.

Rejection of Claims 1-26 Under 35 U.S.C. § 103(a)

Claims 1-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,3125,533 to Stich et al. (hereinafter "Stich"). As provided by the foregoing amendment, claims 1-26 have been canceled from the present application; therefore, the rejection of claims 1-26 is not longer applicable.

Claims 27-56, added to the present application by the foregoing amendment, do not constitute new subject matter and have antecedent basis in the specification. In addition, claims 27-54 are believed to be patentable over Stich for the reasons given below.

In the Office Action, the Examiner points out that claims 1-26 were rejected as being unpatentable over Stich because Stich discloses an electrically-erasable programmable read only memory (EEPROM) provided to store programmable user constants (col. 25, lines 11-22). In addition, the Examiner indicates that Stich discloses an overload alarm and a small debounce period alarm to prevent nuisance alarms due to momentary output load surges. (col. 31, lines 50-54). Stich also discloses a low run time battery alarm to alert a user of an impending shutdown that compares the run time, as calculated under "Derived Metering," against a programmable set point contained in the EEPROM (col. 31, lines 10-16). Stich essentially discloses an uninterruptible power supply (UPS) with an audio alarm that serves as a notification of an occurrence of one or more predetermined power related incidents. The alarm, for instance, through an EEPROM, can sound when a power related incident has

occurred and thereafter can be, e.g., manually, turned off. The Background of Invention section of the present application discusses such alarms and indicates they are well known in the art. However, as also discussed in the Background, the prior art (including Stich) does not provide an audible alarm of a backup power supply and means to enable and to disable the alarm during different periods of time to thereby control the alarm other than by merely turning the alarm "on".

New independent claim 27 is directed to a method of controlling an audible alarm of a backup power supply that provides flexibility and convenience with respect to when the alarm is enabled and when the alarm is disabled. Specifically, claim 27 is directed to a method of controlling an audible alarm of a backup power supply that indicates an occurrence of an event, the backup power supply being operatively coupled to a computer, the method comprising (i) programming the backup power supply through computer software operating on the computer to enable the audible alarm during at least a first predetermined time period in response to detection of the occurrence of an event; and (ii) programming the backup power supply through the computer software to disable the audible alarm while the backup power supply is operational during at least a second predetermined time period in response to detection of the occurrence of an event. Stich neither teaches or suggests enabling and disabling an audible alarm of a power supply through computer software operating on a computer to which the power supply is operatively coupled to enable the alarm to sound during at least a first predetermined period of time and to disable the alarm during at least a second predetermined period of time.

First and second predetermined periods of time can include time periods during which a user requires or desires that the audible alarm of the power supply be enabled and disabled. For instance, a first predetermined period of time can include working hours of a day, e.g., from 8:00 a.m. to 5:00 p.m., when a user requires or desires the audible alarm to sound, while a second predetermined period of time can include non-working hours of the day, e.g., from 8:00 p.m. to 8:00 a.m., when the user desires that the alarm not sound and cause a disturbance. In addition, a first predetermined period of time can include a period of time during which the power supply alarm may sound without causing an inconvenience, while a second predetermined period of time can include a period of time that is sound sensitive or involves a

sound-sensitive environment, such as a business meeting. Further, the method does not include or use an absolute clock such that the audible alarm can be enabled during several predetermined periods of time, for instance, during a single day, week or month, while being disabled during several other predetermined periods of time during the day, week or month.

The method of controlling the audible alarm of the backup power supply as recited in claim 27, thus, provides flexible and convenient control of the alarm, and is different from alarm control provided by prior art methods. In particular, Stich does not teach programming a power supply audible alarm using computer software operating on a computer operatively coupled to the power supply to enable the alarm during certain predetermined time periods and to disable the alarm during other predetermined time periods. In contrast, Stich only teaches that an audible alarm of a UPS can be programmed to sound as a result of a power-related incident. In addition, Stich does not provide any teaching or suggestion that would motivate one of ordinary skill in the art to modify the control of an audible alarm of a backup power supply by employing programmable computer software installed and operating on a computer that is operatively coupled to the backup power supply such that programming through the computer software enables and disables the alarm during certain periods of time. Stich teaches only that an audible alarm of a power supply can be programmed to sound in response to detection of some power-related incident or condition or some preprogrammed value corresponding to an incident or condition and can be disabled, e.g., manually, once it has begun to sound. Stich does not teach using computer software of a computer operatively coupled to a power supply to program predetermined periods of time during which the alarm is enable and is disabled. Therefore, claim 27 is believed to be patentably distinguishable from Stich.

Claims 28-38 depend from claim 27 and are patentable for at least the reasons given above.
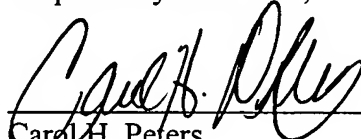
New independent claim 39 is directed to a system for controlling an audible alarm of a backup power supply that indicates an occurrence of an event, the system comprising (i) a backup power supply having an audible alarm, and (ii) a computing device operatively coupled to the backup power supply and to a main power supply, the computing device being configured to operate software installed thereon that is programmable to enable the audible

alarm during at least a first predetermined time period in response to detection of the occurrence of an event, and to disable the audible alarm while the backup power supply is operational during at least a second predetermined time period in response to detection of the occurrence of an event. Stich neither teaches or suggests the system of claim 39 and, in particular, does not disclose a computing device operatively coupled to a backup power supply having software installed thereon that is programmable to enable and to disable an audible alarm of the power supply during certain periods of time. Stich discloses that a UPS can include a programmable EEPROM to program set points that effect activation of an audible alarm of the UPS when a particular power-related variable is at or above one or more preprogrammed set points. But, Stich does not disclose enablement of the audible alarm through programming of computer software operating on a computer operatively coupled to the power supply such that the alarm is enable and disable during different predetermined periods of time. Therefore, claim 39 is believed to be patentably distinguishable from Stich.

Claims 40-54 depend from claim 39 and are patentable for at least the reasons given above.

Based upon the foregoing amendments and discussion, the present application is believed to be in condition for allowance, and a notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to telephone the undersigned at the number provided. ·

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